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**Special Political and Decolonization Committee (Fourth Committee)**

**Summary record of the 22nd meeting**
Held at Headquarters, New York, on Monday, 7 November 2005, at 10 a.m.

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| *Chairman:* | Mr. Aliyev | (Azerbaijan) |
| *later:* | Ms. Anguiano Rodriguez (Vice-Chairman) | (Mexico) |
| *later:* | Mr. Aliyev | (Azerbaijan) |

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Agenda item 31: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

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*The meeting was called to order at 10.20 a.m.*

**Agenda item 31: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories** (A/60/294-297 and A/60/365)

1. **Mr. Kariyawasam** (Sri Lanka), speaking as Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced its report (A/60/365), which he said was based on first-hand accounts of conditions in the occupied territories by witnesses from the territories who had been interviewed in other countries in the region during the Special Committee's field trip. Given the recent trend towards dialogue and cooperation, Israel should reconsider its 37-year policy of denying members of the Special Committee access to the occupied territories.

2. Despite the recent positive political developments, the report gave a disturbing picture of continuing grave violations by Israel of the human rights of the Palestinian population under its occupation. The military occupation was no less harsh: the closures, the checkpoints, the confiscations of land and water resources and the demolition of houses continued unabated.

3. Indeed, the separation wall that Israel was building was not only impeding the Palestinians' freedom of movement, it was affecting their national identity and violating their legitimate claims to land and their rights to adequate housing, food, family life, education and health care. Because of the wall, Palestinians were losing control over key strategic resources such as water and energy. Normal access to health care had been cut off and the completion of the wall would allow only 39 per cent of Palestinians to reach health facilities, down from 87 per cent. Moreover, checkpoint delays at the wall indicated a deliberate pattern of hampering normal schooling, especially for university students. The restrictions on movement created rising unemployment and poverty that took the greatest toll on women and children, generating food insecurity and a decline in nutrition.

4. There were disturbing reports that as many as 8,500 Palestinians, including hundreds of women and minors, were detained in Israeli jails, where they were allegedly subjected to degrading and cruel treatment, including torture. Moreover, several hundreds more were being held indefinitely in administrative detention and it was made very difficult for their lawyers to meet with and represent their clients.

5. In the occupied Syrian Golan, half of the Israeli settlements were scheduled for expansion, and new settlers were being encouraged to move in. Syrian citizens in the Golan controlled only 20 per cent of the water supply. Landmines laid close to villages and fields were a constant danger, and an Israeli nuclear waste site near the Syrian border posed an ecological threat.

6. As the human rights situation deteriorated and the misery of the Palestinian population deepened, it was essential for Israel and the Palestinian Authority to take all possible actions to build confidence among and across communities, with the two-State solution as their goal. At the same time, it was essential that all forms of organized violence, terrorism, intimidation and harassment by either side in the occupied Palestinian territories should be halted.

7. The recommendations in the report were similar to those of the previous year, but the General Assembly must find innovative ways to ensure the rights of the Palestinian people and other Arabs in the occupied territories. It must renew the Special Committee's mandate in keeping with current realities and with the aspirations of the Palestinian people.

8. **Ms. Rasheed** (Observer for Palestine), endorsed the report of the Special Committee and drew attention also to the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967 (A/60/271), which corroborated the Special Committee's findings. Throughout the Israeli occupation, the national existence of the Palestinian people had been threatened and their collective and individual human rights had been systematically violated. A number of provisions of international law, including humanitarian and human rights law, had been applicable to the Occupied Palestinian Territory from the outset: the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child.

9. In the past five years, the human rights violations had increased dramatically in scale and intensity.

resulting in the death of over 3,750 Palestinians and the wounding of more than 40,000. Even more troubling was the culture of absolute impunity demonstrated by the occupying Power, which, according to reliable reports, had investigated fewer than 5 per cent of the deaths of unarmed Palestinian civilians at the hands of its military forces. At the same time, violence by illegal armed Israeli settlers had increased significantly. Those crimes also continued to go unpunished under the occupying Power's undeclared policy of leniency towards them, which had encouraged further attacks.

10. Each day, moreover, every Palestinian was subject to systematic humiliation by the occupying Power. For example, the restrictions on movement at the more than 600 checkpoints placed throughout the Occupied Palestinian Territory, including East Jerusalem, had resulted in skyrocketing levels of poverty and unemployment, exacerbating the already dire economic and social conditions where food insecurity was already the harsh reality for 40 per cent of the population. Checkpoint delays continued to hamper or preclude access to jobs, schools, health care, holy places, an adequate food supply and clean water. The lack of emergency medical care had in some cases resulted in deaths.

11. Israel continued the illegal detention and imprisonment in its jails of thousands of Palestinians, many of whom had been severely harassed, physically abused and even tortured. They were given very limited access to the outside world, including their families and legal representatives, and were being held in the most deplorable and unsanitary conditions. Over 600 of those imprisoned were being held without trial.

12. The widespread destruction of homes and property throughout the Occupied Palestinian Territory, including East Jerusalem, continued unabated as part of Israel's effort to colonize more Palestinian land, particularly through its unlawful construction of the separation wall and its expansion of its network of illegal colonial settlements and bypass roads. Of particular concern was Israel's illegal plan to slice the West Bank in half by constructing thousands of housing units in a corridor between Jerusalem and a West Bank settlement, that would effectively clamp down on Palestinian movement while isolating East Jerusalem from the rest of the Palestinian territory.

13. In July 2004, the International Court of Justice had declared the construction of the separation wall to be in violation of international law. However, rather than dismantling it and making reparation for the damage already done, the occupying Power was continuing to confiscate West Bank land in order to continue construction of the wall, especially in occupied East Jerusalem. The planned route of the wall was twice the length of the 1949 Armistice Line, or the Green Line, and was clearly designed to be the border of the State of Israel. Hundreds of Palestinian civilians now found themselves confined in wall enclaves and thousands more were effectively imprisoned between the wall and the Green Line. With its wall, Israel was also unilaterally defining the permanent borders of a future Palestinian State that would have neither territorial integrity nor territorial contiguity; a two-State solution would thus be nearly impossible. The colonization of Palestinian land and the peace process were incompatible.

14. On the issue of Gaza, the Palestinian Authority considered the dismantling of illegal settlements and the withdrawal of Israeli occupying forces to be an important step towards reversing the Israeli colonization of Palestinian territory. However, the unilateral Israeli disengagement had taken no account of Palestinian concerns and had left many critical issues — such as border crossings and links between Gaza and the West Bank — unresolved. An isolated Gaza would not be economically or politically sustainable. Similar steps had to be taken in the West Bank, including the immediate implementation of the recent political understandings, the implementation of the road map and the immediate resumption of negotiations on final status issues. The withdrawal of Jewish settlers from Gaza did not change the legal status of Gaza as an occupied territory, and the disengagement should be used by Israel as an opportunity to revive the peace process rather than to exploit it as a way of completing de facto annexation of huge areas of the West Bank.

15. The United Nations, in particular, had a critical permanent responsibility to see that the question of Palestine was satisfactorily resolved in all its aspects and to find innovative ways of achieving that result. It must bring the parties back to negotiations on the implementation of the road map and the achievement of a final, peaceful two-State settlement, based on the pre-1967 borders.

16. **Mr. Mekdad** (Syrian Arab Republic) said that, as the eye that exposed Israel's crimes to the international

community, the Special Committee should continue its work until all the occupied Arab territories were returned in accordance with the relevant United Nations resolutions. Any weakening of the Special Committee would give Israel camouflage for the further pursuit of its practices and violations of human rights and international law. It had already refused to receive the Special Committee for 37 years. It was therefore essential for the General Assembly to consider innovative ways of assisting the Special Committee to fulfil its mandate. Throughout its occupation of the Syrian Arab Golan, Israel had employed a variety of methods to strip the land, erase the identity of the inhabitants and attract settlers, denying all fundamental freedoms and human rights to the population of the Syrian Golan in the process. It had also attempted to annex the Golan and impose its laws and its jurisdiction over it, even though such measures had been declared by the Security Council to be null and void and without legal effect. Through its expansionist policies and new settlement campaigns, Israel had persistently demonstrated its opposition to peace to the point of publicly stating, inter alia, that not even for that price would the Golan be returned to the Syrian Arab Republic. Such statements represented another serious escalation in the situation and also served as evidence of the Israeli Government's decision to kill the peace process, lay to rest the relevant United Nations resolutions and stall all productive efforts for a just and comprehensive peace in the region, particularly considering the declared willingness of the Syrian Arab Republic to resume that process unconditionally.

17. He drew attention to the examples contained in the report of the Special Committee (A/60/380) of the many ongoing Israeli violations of human rights in the occupied Syrian Golan, the pillaging and exploitation of its natural resources and the plunder of its archaeological and cultural heritage, and described his Government's efforts to relieve the persistent shortage of health facilities available to Syrian Arab citizens in the occupied region. Since those citizens insisted that the occupation must eventually end and the land must be returned to its rightful owners, they continued to reject all forms of occupation and the imposition of Israeli identity.

18. As evidenced by the statement of the Observer for Palestine, the tragic situation in the occupied Palestinian territories was exacerbated by Israel's flagrant violations of human rights and international law, as detailed in the report of the Special Committee. The withdrawal of settlers and Israeli forces from Gaza was merely a first step; the implementation of all United Nations resolutions relating to the Arab-Israeli conflict was also required, along with the establishment of an independent Palestinian State and the return of the Palestinian refugees. The time had come for the international community to take a decisive stand concerning those resolutions, which had not been implemented for reasons that were clear to all, primarily the unlimited liberal support and protection afforded by some to the Israeli aggressor against Arab States. The Syrian Arab Republic had repeatedly voiced its commitment to a just and comprehensive peace and continued to demand Israel's withdrawal from all the territories occupied since 1967, as well as a guarantee of the legitimate rights of the Palestinian people. To that end it had earnestly joined in the peace negotiations for over a decade. Peace was incompatible with the occupation and any steps to consolidate it. The Syrian Arab Republic therefore appealed to the international community to condemn the Israeli practices in the occupied territories and to demand that the Israeli Government abandon its policies of expansion, annexation and settlement. It also called on the Security Council to implement its resolutions on the Middle East conflict without selectivity or double standards.

19. Mr. Argüello Rodríguez (Mexico), Vice-Chairman, took the Chair.

20. **Mr. Hassan** (Jordan) said that his delegation supported the recommendations contained in the report of the Special Committee, which should continue its work until the Israeli occupation of all Arab territories occupied since 1967 had ended. He called on Israel to cooperate with the Special Committee so as to strengthen its work and ensure that its conclusions encompassed the viewpoints of all the parties concerned. For the past five years, his delegation had reiterated the need for the peace process to be put back on track. Each time that tensions had begun to lessen, however, the two parties would again spiral into violence. The problem was that the continuing Israeli occupation and the appalling living conditions imposed on the Palestinian people caused them to lose almost all hope of a solution that met their aspirations and guaranteed their rights to a life of dignity. Despite the apparently pessimistic outlook, however, it was

important to remain objective and positive, where possible.

21. Israel's withdrawal from Gaza was an important step to build on in implementing the road map and provided an opportunity for the reactivation of the peace process, for which a genuine political will was needed. It was regrettable that a number of the desired outcomes had not been achieved, despite the efforts of the Quartet and all concerned parties. Israel's resumption of military action, extrajudicial killings and arbitrary measures against the Palestinian people, together with its continuing violation of the Fourth Geneva Convention, were not conducive to a solution to the crisis or a return to the peace process. He was condemning not so much any particular party as the violence, the violation of the Sharm El Sheikh understandings and all actions which impeded political progress. He condemned the killing of all innocent civilians and called for compliance with those understandings, adherence to the truce, the cessation of violence and the exercise of self-restraint by Israel in particular. The Palestinian Authority was in the throes of reorganizing and reforming its security apparatus and Israel should help to promote that process instead of hampering or thwarting it through uncalculated reactions or the rejection of constructive proposals for the strengthening of the Palestinian security forces. In that context, his Government commended the reform efforts of President Mahmoud Abbas and his commitment to driving forward the political process.

22. The plethora of Israeli violations of the inalienable rights of the Palestinian people was evident from the report of the Special Committee. Economic conditions in the occupied Palestinian territories were now critical as a result and had been exacerbated by the continuing construction of the separation wall, which also had immediate repercussions on his own country and threatened its security. It was therefore essential for Israel to respect the advisory opinion of the International Court of Justice concerning the construction of the wall. He referred to some of the commitments still to be implemented by the Israeli and Palestinian sides under the road map and the Sharm El Sheikh understandings and added that, in the occupied Syrian Golan, Israel should desist from continuing its settlement activity, planting mines and endangering the lives of the Arab population. In short, peace in the Middle East would not be achieved until the Israeli occupation of Arab territories was ended in accordance with the relevant Security Council resolutions, the Madrid terms of reference and the Arab Peace Initiative. Equally, all parties should fulfil their obligations under the road map. The withdrawal from Gaza was a first step towards the realization of the vision of the two-State solution.

23. **Mr. Al Abd** (United Arab Emirates) said that the data contained in the Special Committee's report (A/60/380) reflected the scope of the flagrant violations of the basic human rights of the people living in the occupied Arab territories. For five years, the Israeli occupation forces had been guilty of systematic war crimes and State terrorism against Arab civilians in those territories, using sophisticated weapons and fighter planes and killing some 4,000 persons, including children, women and elderly people, and maiming tens of thousands more. Even after its withdrawal from Gaza and the evacuation of a number of its settlements in the northern part of the West Bank, Israel was continuing to kill civilians, impose collective punishment and carry out extrajudicial executions, destroy thousands of houses, and detain and displace tens of thousands of the population in flagrant violation of all international and humanitarian laws, especially the Fourth Geneva Convention, applicable to those territories, which were still subject to Israel's military control over their borders and trading routes.

24. In patent disregard of international humanitarian law, the international conventions and all relevant international resolutions demanding that Israel withdraw from the territories it had occupied since 1967 and dismantle its separation wall, the Israeli Government was still lengthening the wall and confiscating land and water, bulldozing farmland and restricting the movement of Palestinians, as part of a deliberate plan to aggravate their economic and social situation, force them out of their homes and expand its territory.

25. Israeli policy had resulted in heavy losses to the Palestinian economy, there was a 26 per cent unemployment rate among Palestinians in the occupied territories and 64 per cent of the population were living below the poverty line. In addition there had been a deterioration in health and education services and a severe lack of drinking water. Those factors had resulted in an alarming spread of child malnutrition.

26. Israel also persisted in its occupation of the Syrian Arab Golan, violating the human rights of its Arab population. Its deliberate expansion and its imposition of a Jewish culture on the region were intended to erase the population's Arab identity, in blatant violation of the relevant international resolutions.

27. His delegation reaffirmed its support for the Palestinian people in their struggle against Israeli occupation and for their right to self-determination and the establishment of an independent State of Palestine, with Al-Quds al-Sharif as its capital. It urged the international community to compel Israel to end forthwith its aggression and its massacre of the Palestinian people and to abide by the relevant provisions of international law, including the Fourth Geneva Convention, and to comply with the relevant General Assembly resolutions and the advisory opinion of the International Court of Justice.

28. It also urged the United Nations to take the measures needed to protect the Palestinian people and to deliver humanitarian assistance to them, and to continue to support the work of the Special Committee until the total elimination of the Israeli occupation and the achievement of a just, comprehensive and lasting settlement of the Middle East problem.

29. *Mr. Aliyev (Azerbaijan) resumed the Chair.*

30. **Mr. Adel** (Egypt) said that, as reflected in the report of the Special Committee and the report of the Special Rapporteur of the Commission on Human Rights (A/60/271), the Israeli Government had no respect for the human rights of the Arab people in the occupied territories, where its practices violated all human rights instruments and norms. The hopes raised by the Israeli withdrawal from Gaza had soon dissipated in the light of Gaza's gradual transformation into a vast prison following the deliberate severance of its ties with the outside world; the curfews, closures and collective punishment; the construction of the separation wall; the expansion of settlements in the West Bank; and the obliteration of the Palestinian character of Jerusalem. The separation wall was designed to isolate the Palestinian people with the ultimate aim of destroying their political, social and economic unity on spurious security grounds that had no connection with what was happening on the ground. He therefore supported the recommendation that the General Assembly should monitor the implementation of the advisory opinion of the International Court of Justice and General Assembly resolution ES-10/15. The occupying Power also imposed mobility restrictions on the Palestinian people, frequently prevented them from performing religious observances and deprived them of many other fundamental rights guaranteed under international human rights instruments. Since the construction of the wall, for instance, the Palestinians no longer had control over such strategic and vital resources as water and electricity, supplies of which were instead diverted for the benefit of Israeli settlers. Israel also continued to take legislative and administrative measures and actions to alter the character and legal status of the occupied Syrian Golan. No positive results were gained by such policies, which equally failed to achieve Israel's desired security objective; instead, they merely exacerbated the poor living conditions of the Palestinian people and strengthened their resolve to acquire their full rights, in particular the right to self-determination. The plan for disengagement and withdrawal from Gaza was an initial step that should be followed by further steps on the basis of the road map and the vision of the two-State solution. The concerted efforts of the international community and the guaranteed implementation of each party's commitments were essential to that end. Egypt would continue to work assiduously with all parties for the achievement of that aim and for the establishment of a just, comprehensive and lasting peace in the Middle East.

31. **Mr. Al-Otaibi** (Kuwait) said that the suffering caused to the Palestinian people by the arbitrary and inhumane Israeli practices detailed in the report of the Special Committee had been compounded by the construction of the separation wall, the negative repercussions of which were explicitly described in the report. Israel's continuation of those practices and its determination to pursue its construction of the wall in disregard of United Nations resolutions and the advisory opinion of the International Court of Justice constituted a flagrant violation of international humanitarian law and the Fourth Geneva Convention. Israeli practices in the occupied Syrian Golan, which he condemned, also represented a similar violation. Significant as they were, however, the efforts of the Quartet and various regional and international parties had regrettably failed to halt the Israeli Government's obdurate pursuit of its policy and its refusal to conduct itself in a civilized and reasonable manner. Israel's

withdrawal from the Gaza Strip was a first step that should be followed by further steps, in particular those designed to secure an end to Israel's control of crossing points and airspace and the removal of all restrictions on the reopening of the Gaza port and airport. Israel should then complete its withdrawal by ending the occupation of all remaining Palestinian and Arab territories.

32. He reaffirmed Kuwait's firm and principled stand in support of the Palestinian people in their struggle to obtain their legitimate rights to autonomy and the establishment of an independent State on their own soil, with Jerusalem as its capital. He also reaffirmed its ongoing support for the work of the Special Committee, which should continue until such time as the Israeli occupation was fully ended. He endorsed the recommendations and conclusions contained in the report of the Special Committee and called on the Israeli Government to implement those recommendations and cooperate with the Special Committee. He further called on the international community to exert greater pressure on the Israeli Government to persuade it to stop its flagrant violations of international humanitarian law in the occupied territories, fulfil its obligations under the road map and implement the relevant United Nations resolutions in the interests of achieving a just, comprehensive and lasting peace in the Middle East.

33. **Mr. La Rosa Dominguez** (Cuba) reaffirmed his delegation's full support for the Special Committee, which had always provided the international community with valuable information on the abuses committed against the Palestinian people in their own land under Israeli occupation. Recapitulating the accusations levelled at Israel in the Special Committee's report, he said that an entire people was being blatantly and systematically massacred while the international community, its hands tied, could not implement effective measures. There had been 30 actual or threatened vetoes in the Security Council of draft resolutions aimed at finding a balanced approach to the situation. The usual double standard and the exercise or threat of a veto by one of its permanent members had brought the Council to a standstill on the issue.

34. Not only had one delegation in the past made disgraceful statements in the Special Committee, declaring that one of its objectives was to do away with it, but it had even published that objective on its web page and in official documents, thereby demonstrating its disrespect for the lives and rights of the Palestinian people. It had now gone on to issue dangerous statements within the Organization on the alleged need to eliminate some of the entities created to contribute to the inalienable right of the Palestinian people to self-determination and independence. His delegation feared that that might spread to other entities, such as the Special Committee, and once more condemned those statements.

35. As the report showed, the expectations raised by Israel's disengagement from the Gaza Strip were fading with the continued military occupation of the West Bank, the lengthening of the separation wall, the violations of freedom of movement, the incredible number of Palestinians still in Israeli jails, the constant expansion of Jewish settlements into Palestinian territory, and the international community's silence and inaction on the lack of compliance with the advisory opinion of the International Court of Justice. The Committee should not be fooled by the recent unilateral withdrawal of Israeli troops from Gaza or the evacuation of Jewish settlements in the area; they neither constituted the beginning of the end of Israel's genocidal policy nor heralded a definitive solution to the Palestinian issue. Israel was still the occupying Power, controlling air space, land borders and the sea.

36. In conclusion, he reaffirmed Cuba's support for the Palestinian people's inalienable right to an independent and sovereign State with East Jerusalem as its capital. It demanded the unconditional return of all Israeli-occupied Arab territories and stressed the illegality of all Israeli settlements in the Arab territories occupied since 1967. The Arab peoples could count on the full support of the Cuban people in their quest for a just, unconditional, comprehensive and lasting peace.

37. **Mr. Mohd Radzi** Abdul Rahman (Malaysia) said that the report of the Special Committee contained disturbing accounts of the unprecedented level of physical destruction in the occupied Arab territories, as well as the loss of control by the Palestinians of strategic resources and of the contiguity of their lands, owing to the separation wall, road closures and checkpoints and the encroachment of Israeli settlements. The policies and practices of the Israeli Government had further aggravated the already serious humanitarian and human rights situation of the Palestinians.

38. Israel's persistent refusal to cooperate with the Special Committee in the fulfilment of its mandate was counterproductive, in that it deprived itself of the opportunity to explain its position to the Special Committee. Israel's refusal to comply with the Secretary-General's request for information on its progress in implementing the five relevant General Assembly resolutions was also disturbing. Its negative attitude and posturing merely corroborated the suggestion that Israel was deliberately preventing the international community from discovering the real humanitarian and human rights situation in the occupied territories. Given the Special Committee's meticulous efforts to ensure the independence, impartiality and accuracy of its work, Israel could hardly accuse it of biased reporting. In that regard, he drew Israel's attention to the conclusion contained in paragraph 116 of the Special Committee's report (A/60/380).

39. The degree and manner of the gross human rights violations and the suffering caused by the Israeli occupation must be stopped; they constituted flagrant violations of the Charter of the United Nations, long-standing and more recent international conventions and covenants, and the relevant United Nations resolutions. Israel must be made to understand that it was not above the law and must fulfil its obligations under international law like every other Member of the United Nations.

40. The ongoing destruction caused by the separation wall was another factor that undermined the population's humanitarian and human rights and had turned the territory into a vast open-air prison unprecedented in modern times. The wall was an unmistakeable act of territorial annexation in the guise of self-defence and security. Israel must comply with the advisory opinion of the International Court and with General Assembly resolution ES-10/15, which called on Israel, inter alia, to make reparation for all damage caused by its construction.

41. Israel's disengagement from the Gaza Strip and parts of the West Bank had been a positive step in the peace process, but harsh repressive measures against the Palestinians had intensified with the second intifada, including the recent executions in Gaza, and had further damaged the deprived and oppressed population. Israel's many restrictive regimes demonstrated the occupying Power's desire systematically to control and regulate the lives of the inhabitants of the occupied territories and to subject them to its will. The international community must express its outrage at the relentless continuation of those regimes and must explore other ways of redressing the situation without delay.

42. He urged Member States to reach out to their media and civil society organizations to give greater attention to the question of Palestine. In that regard, his delegation welcomed the dissemination by the Department of Public Information of regular bulletins on events in the occupied territories through its global and system-wide apparatus, and recommended that such activities should be expanded. As Chairman of the Non-Aligned Movement, Malaysia had spearheaded the mobilization of global public opinion, drawing inspiration from the global anti-apartheid movement, in order to increase awareness of the complexity of the question of Palestine and the situation in the occupied territories. The Malaysian non-governmental organization Peace Malaysia had organized an international conference on peace in Palestine in Kuala Lumpur in March and the Malaysian media had given wide coverage to developments there.

43. The faint hope of the Palestinians and Arabs in the occupied territories that their plight might be reversed by the implementation of the road map had vanished with Israel's refusal to comply with its provisions. Their hopes now lay with the international community, which must not ignore them; it must do its utmost to prevail upon Israel to change its policy, and must ensure that all relevant parties implemented and monitored the Special Committee's recommendations.

44. The Special Committee was an independent and indispensable body which could provide the international community with first-hand information on the humanitarian and human rights situation in the occupied territories. It must be allowed to continue its mandate, pending the cessation of Israel's human rights violations and occupation. He urged Member States to support the relevant draft resolutions as they had rightly done in the past.

45. **Mr. Yechury** (India) said that Israel's disengagement from the Gaza Strip and parts of the West Bank had been a significant first step towards what he hoped would be a mutually acceptable negotiated settlement in line with the road map and the relevant Security Council resolutions and towards the eventual establishment of a sovereign, independent and

viable Palestinian State within well-defined, secure borders and at peace with Israel. India, however, unequivocally condemned the persistence of a fragile situation marked by acts of terrorism and excessively harsh retaliatory measures. All parties concerned must exercise restraint, abjure violence and return to the negotiating table. To deny the right to self-determination of the Palestinians was also to deny the right to life of the Israelis: two reinforcing concepts that must be neutralized.

46. The human rights of the Palestinian people were the focus of the report of the Special Committee (A/60/380), which had drawn attention to the violations of the social and economic rights of the people in the occupied territories that were often disposed in the interest of power or geopolitics. The lives of those people had become a metaphor, as well as a reality, of misery and injustice, in which the concept of "home" was a travesty.

47. The construction of the separation wall violated every right of the Palestinians. No one could object to the construction of the wall in areas coinciding with the Green Line, but its encroachment on Palestinian land and interests brought great hardship for the people and exacerbated the situation. If construction was allowed to continue, it threatened to prejudge the outcome of the final status negotiations between the parties. He therefore reiterated his appeal to Israel to take note, in particular, of General Assembly resolution ES-10/15, which was based on the advisory opinion of the International Court of Justice to the effect that the wall was contrary to international law.

48. Of equal concern were the restrictions on the Palestinians' freedom of movement, which had cut off their access to employment, income and essential goods and services and had also seriously hampered the ability of United Nations humanitarian agencies, especially the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), to provide essential services. India called upon Israel to show restraint and do nothing to aggravate the humanitarian and economic plight of the Palestinian people.

49. India's support for the Palestinian cause and a Palestinian homeland had always been strong. It had extended material and technical assistance to the people of Palestine to help them towards self-government and nation-building in areas such as telecommunications, software, pharmaceuticals and higher education and training, and it had recently pledged $15 million to the Palestinian Authority. India was committed to a negotiated two-State solution agreed between the parties that would result in a viable, contiguous, sovereign and independent Palestinian State existing side by side with Israel in peace and security, and it reaffirmed that the road map was the fundamental framework for an early, good faith resolution of the Israeli-Palestinian conflict.

*The meeting rose at 12.20 p.m.*